

**UNITED STATES DISTRICT COURT
DISTRICT OF MASSACHUSETTS**

UNITED STATES OF AMERICA)
)
v.)
)
MOHAMMED ABDUL RASHEED QURAISHI,) Cr. No. 04-10345-NMG
)
MOHAMMED ABDUL QAYIUM QURAISHI and)
)
MOHAMMED ABDUL AZIZ QURAISHI)
)

GOVERNMENT'S ASSENTED TO MOTION FOR NON-DISCLOSURE

The United States of America, by its attorneys, Michael J. Sullivan, United States Attorney, and Kimberly P. West, Assistant U.S. Attorney, moves this court pursuant to Local Rule 116.6 for a protective order prohibiting the defendants and their attorneys from disclosing the identity of the cooperating witness involved in the creation of consensual recordings of conversations with the defendants, as well as information from the recordings which would tend to identify said witness, except such information may be disclosed to any member of the defense team (including attorneys, paralegals, investigators, interpreters and clerical personnel), or as agreed by the parties, or as otherwise ordered by this Court. The government further requests that this order remain in effect until 21 days prior trial. Nothing in this order shall prohibit the defendant from requesting the Court to terminate the order prior to that time, or from requesting leave to make specific disclosures. The defendants, through counsel, assent to these requests.

As grounds for this request, the government states the following.

On December 20, 2004, the government plans to provide discovery to the defendants pursuant to Local Rule 116.1, including consensual recordings of the defendants with a cooperating witness.

Counsel for the defendants has agreed not to disclose the identity of the cooperating

witness involved in the creation of the consensual recordings of conversations with the defendants, as well as information from the recordings which would tend to identify said witness, except such information may be disclosed to any member of the defense team (including attorneys, paralegals, investigators, interpreters and clerical personnel), or as agreed by the parties, or as otherwise ordered by this Court. Counsel for the defendants agree that this order shall remain in effect until 21 days prior trial. Nothing in this order shall prohibit the defendants from requesting the Court to terminate the order prior to that time, or from requesting leave to make specific disclosures.

If the requested protective order is entered, the government agrees to produce the recordings of all consensual recorded materials, and will produce any material relevant to Local Rule 116.2(B)(1) as it relates to the cooperating witness.

Respectfully submitted,

MICHAEL J. SULLIVAN
United States Attorney

By: /s/ Kimberly P. West
KIMBERLY P. WEST
Assistant U.S. Attorney

Dated: December 17, 2004